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TO: Examiner Huy D. Nguyen Of the US Patent Office	FROM: Michael Scaturro
FAX: 1 703 872 9306	PAGES To follow: 2
RE: Re Ser. No. 09/718,247	DATE: April 5, 2005

--- MESSAGE ---

Dear Examiner Nguyen:

I am providing my interpretation of the sequence of steps followed to carry out the method for the reference (Smith) ad for the invention. I would like to briefly discuss similarities and differences with you in a telcon at a time of your convenience.

Regards,

Michael A. Scaturro, Esq.
51,356

THE INVENTION

Radio Network Controller **Terminal TM**

STEP A.

RNC sends ----------→ cipher key change command (CCC2) ----→ to the terminal

(coded with the OLD cipher key)

STEP B.

RNC receives ← ---- (ACK12) sends acknowledge command ----------← from TM

to prevent the RNC from re-transmitting the CCC2 command after a specified period of time.

STEP C.

RNC receives ←-- (CCOK2) sends cipher key acknowledge commands--← from TM

(coded with the NEW cipher key)

STEP D.

RNC sends → ---------- acknowledgment (ACK22) ----------→ TM

STEP E. –

RNC attempts to decipher CCOK2 (received at step C. above) to determine whether CCOK2 was properly encoded with the NEW cipher key by the TM.

IF :: CCOK2 WAS PROPERLY ENCODED WITH NEW CIPHER KEY

RNC sends ----------→ (KOK2) ***coded with NEW cipher key*** **----→ to the terminal**

OTHERWISE IF :: CCOK2 WAS NOT PROPERLY ENCODED WITH NEW CIPHER KEY

RNC sends ----------→ (KOK2) ***coded with OLD cipher key*** **----→ to the terminal**

THE SMITH REFERENCE

Central Controller 20 **Subscriber Unit 10**

FIG. 2. (Step 21)

CC sends ----------→ change key command with OP code ----→ to SU

It is determined that the radio needs to be rekeyed, based on key change request sent by the SU.

FIG. 1 (Step 24).

The SU decodes the OP code, look up operation in its memory which may be a mere rotation or a more involved function (F(x)), required to change the original key.

FIG. 1 (Step 26) – Re-keying step

The new encryption key is then formed at the SU performing the operation specified by the OP code on the old or original key $K_{\emptyset}$

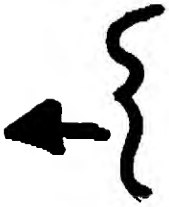

FIG. 1 (Step 28) – Send acknowledgment that new key has been formed

CC ← ---------- acknowledgment ----------← SU

FIG. 2 – (Step 32)

The CC determines whether the SU acknowledged the Key change.

IF:: SU acknowledges the key change, operations return to block 14 of Fig. 1 (determination block where SU determines if user has requested a key change.

IF:: SU DOES NOT acknowledge the key change, then CC at decision block 34 determines whether a predetermined number of allowances to retry the key change has been exhausted –

IF NO – retry sequence attempted again (go to step 21)
IF YES – SU is put on a list of SUs that need to be rekeyed.